

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT
OF PENNSYLVANIA**

UNITED STATES OF AMERICA :

v. : **NO. 18-cr-00579-2**

ARTHUR ROWLAND :

MOTION FOR DISCOVERY AND INSPECTION

TO THE HONORABLE GERALD J. PAPPERT, JUDGE OF THE SAID COURT:

1. **ARTHUR ROWLAND** was arrested and charged with Conspiracy to Distribute Possess 500 grams or more of methamphetamine, in violation of Title 21, USC § 846, and Conspiracy to Distribute 500 grams or more of Methamphetamine and Marijuana.

2. Pursuant to Rule 16 of the Federal Rules of Criminal Procedure **ARTHUR ROWLAND** respectfully requests that the government be directed to disclose the following information:

Any and all reports and information revealing a bad character trait of any intended government witness for truth and veracity or criminal conduct of said witness, and any intended government witness or informants arrest or conviction record whatsoever, whether federal, state or local, whether adult or juvenile, and the nature of the offenses;

Any and all consideration or promises of consideration given to or on behalf of any witness or informant. By Aconsideration **ARTHUR ROWLAND** refers to anything, whether bargained for or not, which arguably could be

of value or use to a witness or to persons of concern to the witness, including, but not limited to, formal or informal, direct or indirect: leniency, favorable treatment or recommendations or other assistance with respect to any pending or potential criminal, parole, probation, pardon, clemency, civil, tax court, court of claims, administrative or other dispute with the government or with any other authority or with any other parties; criminal, civil or tax immunity grants; relief from forfeiture; payments of money, rewards or fees, witness fees, provision of food, clothing, shelter, transportation, legal services or other benefits; placement in a witness protection program, informer status of the witness; and anything else which arguably could reveal an interest, motive or bias in the witness or informant in favor of the government or against the defense or act as an inducement to testify or to color testimony or to act or have acted in cooperation with the law enforcement in this case;

Any and all threats, express or implied, direct or indirect, or other coercion made or directed against any intended government witness, or informant, criminal prosecutions, investigations, or potential prosecutions pending or which could be brought against the witness or informant; any probationary, parole, deferred prosecution or custodial status of the witness, and any

civil, tax court, court of claims, administrative, or other pending or potential legal disputes or transactions where the government has real, apparent or perceived influence;

The existence and identification of each occasion on which any intended government witness or informant has testified before any court, grand jury, or other tribunal or body or otherwise officially narrated in relation to the defendant, the investigation, or the facts of this case. In addition, the recorded testimony of all such individuals who appeared before any such court, grand jury or other tribunal or body and, of not recorded, the substance of said testimony. By investigation **ARTHUR ROWLAND** refers to any cases brought against any individual due to the activities of the witness or informant;

Any and all personnel files for any intended government witness or informant, the existence and identity of all federal, state and local government files for the witness or informant, the existence and identity of all official internal affairs, internal investigation or public integrity investigation files relating to or connected with each witness who was or is a law enforcement officer revealing a bad reputation of any government witness for truth and veracity or conduct which could arguably impeach said witness or tend to show

that he may not have been properly performing his duties in connection with this investigation;

Any and all other records and/or information which arguably could be helpful or useful to the defense in impeaching or otherwise detracting from the probative force of the governments evidence or which arguably could lead to such records or information, including, but not limited to any and all scientific, hospital, medical, psychiatric, psychological, social work, mental health, drug and/or alcohol, pre-sentence investigation or other reports which might tend to reflect on the credibility or competence of any of the prospective witnesses for the government;

Any applications for Orders of Immunity and Orders of Immunity for any intended government witness and any informal grants or promises of immunity to said witness;

The same records and information requested in items (a) through (g) above with respect to each non-witness declarant whose statements are offered in evidence;

Any written confession or inculpatory statement, or the substance of any oral confession or inculpatory statement, allegedly made by **ARTHUR ROWLAND**, and the identity of the person to whom the confession or inculpatory statements was made, which is in the possession or control of

the attorney for the government;

The circumstances and results of any identification of **ARTHUR ROWLAND** by voice, photography, sketch, or in-person identification; including, but not limited to, all photographic displays shown to witness and further, the time, date and name of the witness or witnesses who examined the photographic displays of **ARTHUR ROWLAND** whether or not they were capable of making an identification of **ARTHUR ROWLAND** at that time, and state the name or names of any agents or police officers who were present at the time said photographic displays were conducted and further, the names of all other individuals who were present at the time the photographic displays were shown to the witness or witnesses who examined the photographic displays of **ARTHUR ROWLAND** and who were capable of making an identification of **ARTHUR ROWLAND** at the time along with their addresses;

The results of any reports of any scientific tests which are within the possession and control of (the attorney for) the government, the names and qualifications of any expert witnesses the government intends to call at trial, the substance of their testimony, the notes made by any such persons conducting such tests and/or offering such testimony which record his/her observations made in conducting such tests or making such reports, and

the dates such tests and/or reports and/or observations were made;

Any tangible objects, including documents, certifications, photographs, fingerprints, or other tangible evidence, whether seized from **ARTHUR ROWLAND** or otherwise obtained; also, whether any such tangible objects have been lost or destroyed by the government;

The transcripts and recordings of any electronic surveillance, and the authority by which the said transcripts and recordings were obtained and any other documents pertaining thereto;

The names and addresses of eyewitnesses the government intends to call at trial;

All written or recorded statements, and substantially verbatim oral statements of eyewitnesses the government intends to call at trial; including, but not limited to, copies of all police reports and handwritten notes made in connection with this investigation by law enforcement officers whom the government intends to call at trial. In addition, names of those persons present at the time the above statements were made;

The names and addresses of any other witnesses the government intends to call at trial;

The names and addresses of all witnesses to the events described in the

indictment whom the government does not intend to call at time of trial;

All handwritten, typed or recorded statements, and substantially verbatim oral

statements of witnesses the government does not intend to call at trial;

All handwritten, typed or recorded statements, and substantially verbatim oral

statements, made by co-defendants, and by co-conspirators, or

accomplices, at any time, whether such individuals have been charged or

not and the circumstances surrounding and leading up to the statements.

In addition, names of those persons present at the time the above

statements were made;

The names and addresses and law enforcement agencies of any individuals

present at any time, whether members of the United States or other

government agency, or other agencies of any other government at any

interrogation, questioning, detention, or the like of the defendant or any

witness herein, whether or not any statements were made by the defendant

or said witness;

Describe, in detail, any alleged prior similar acts of **ARTHUR ROWLAND**

which the government intends to introduce at trial, and the purpose of such

introduction;

Copies of all vouchers, receipts or other evidence related to payments made

to confidential informant in connection with this case and all other cases involving this confidential informant and a list in chronological order by dates of transactions of all cases involving this confidential informant and the amount of money paid to this informant in each case; and the specific information supplied and services rendered by said informant in consideration for said payments;

Correct name, and present whereabouts (address and telephone number) of any confidential informant in this case. If not known, state last known address of said confidential informant and the date, time and place of last contact with said confidential informant, the reason(s) why the present whereabouts of the confidential informant and unknown, what efforts have been undertaken to maintain contact with said individual and to ascertain his/her present whereabouts, and documentation thereof;

For what period of time was said informant acting in cooperation with law enforcement agencies and what were his/her duties in connection with this case;

Copies of any and all law enforcement agencies= guidelines for monitoring, supervising, and otherwise dealing with informants who are working in cooperation with said agencies;

Particulars of any surveillance in this investigation;

Tapes, transcripts and logs of any and all radio transmissions with respect to this investigation. This includes, but is not limited to any information from any law enforcement agency whether from computer or otherwise;

bb. Any and all affidavits of probable cause for search or arrest warrants in connection with this investigation;

cc. Any and all records, reports and documents relating to the circumstances of the investigation of the incident which form the basis of the charges against

ARTHUR ROWLAND which have not been requested in any other paragraph of this motion.

WHEREFORE, **ARTHUR ROWLAND** respectfully requests that this Honorable Court grant his Motion for Discovery and direct the government to supply the requested information immediately.

Respectfully submitted:

/s/ Guy R. Sciolla

GUY R. SCIOLLA, ESQUIRE

Attorney for **ARTHUR ROWLAND**

Date: January 25, 2019

VERIFICATION

I, GUY R. SCIOLLA, ESQUIRE, am the Attorney for **ARTHUR ROWLAND** and verify that the statements are true and correct to the best of my knowledge, information and belief and understand that the statements herein are made subject to the penalties of 18 Pa. C.S. Section 4909 relating to unsworn falsification to authorities.

Respectfully submitted:

/s/ Guy R. Sciolla

GUY R. SCIOLLA, ESQUIRE

Attorney for **ARTHUR ROWLAND**

Date: January 25, 2019

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT
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UNITED STATES OF AMERICA

:

v.

: **NO. 18-cr-00579-2**

ARTHUR ROWLAND

:

CERTIFICATE OF SERVICE

I, GUY R. SCIOLLA, ESQUIRE, being duly sworn and according to law, depose and say that I am the attorney for the defendant, **ARTHUR ROWLAND** and that on the 25th day of January, 2019, service of the within Motion for Discovery and Inspection was made on the following individual(s) via the Electronic Court Filing (ECF) System, when available, and/or first class mail, postage pre-paid:

SETH M SCHLESSINGER
UNITED STATES ATTORNEY'S OFFICE
615 CHESTNUT STREET
SUITE 1250
PHILADELPHIA, PA 19106

/s/

GUY R. SCIOLLA, ESQUIRE